

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

STATE OF MICHIGAN,  
LAVONYA NELSON,  
Plaintiffs,

v.

MARLON D. MATTHEWS-EL,  
Defendant.

Case No. 07-15028  
Hon. Anna Diggs Taylor  
Magistrate Judge Donald A. Scheer

**ORDER ACCEPTING MAGISTRATE'S REPORT AND RECOMMENDATION  
DENYING APPLICATION TO PROCEED IN FORMA PAUPERIS AND  
REMANDING THE CASE TO STATE COURT**

This matter is before the Court on Magistrate Judge Donald A. Scheer's Report and Recommendation of December 28, 2007, finding Defendant's Removal Petition fatally defective, denying his Application to Proceed In Forma Pauperis and recommending a summary order of remand to the state court.

The Court has reviewed the file, the Magistrate Judge's Report and Recommendation, and Defendant's objections. The Court finds that the law cited by the Magistrate has been correctly placed and is controlling in this matter.

Therefore, the Court will accept the Magistrate's Report and Recommendation of December 28, 2007 as the findings and conclusions of this Court.

Accordingly,

IT IS HEREBY ORDERED that Magistrate Judge Scheer's Report and Recommendation of December 28, 2007 [D/E 4] is ACCEPTED and ADOPTED.

IT IS FURTHER ORDERED that Defendant, Marlon D. Matthew-El's application to proceed In Forma Pauperis [D/E 2] be and hereby is DENIED, and that a summary order of remand returning this matter to state court is hereby ENTERED.

IT IS SO ORDERED.

s/ Anna Diggs Taylor

ANNA DIGGS TAYLOR

UNITED STATES DISTRICT JUDGE

Dated: January 14, 2008

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail disclosed on the Notice of Electronic Filing on January 14, 2008.

Marlon Matthews  
22110 Ridgedale Street  
Oak Park, MI 48257

s/Johnetta M. Curry-Williams  
Case Manager